

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, June 2, 2006 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

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NEW CASES

- V-06-62** Application of **William L. Stephenson** for variances from the zoning regulations to 1) reduce the front yard setback from the required 40 feet to 27 feet, 2) reduce the half-depth front yard setback from the required 20 feet to 13 feet, 3) reduce the side yard setback from the required 8 feet to 5 feet and to 4) reduce the required useable open space from 6,660 square feet to 6,150 square feet to allow the buildback of four multi-family dwelling units. The property is located at **755 PONCE DE LEON PLACE N.E.**, fronts 50 feet on the east side of Ponce De Leon Place and begins on the southeastern corner of St. Charles Avenue and Ponce De Leon Place. Zoned R-5 (Two-Family Residential) District. Land Lot 17 of the 14th District, Fulton County, Georgia.
Owner: Allen W. Lewis
Council District 5, NPU-F
- V-06-78** Application of **James Bailey** for variances from the zoning regulations to 1) reduce the front yard setback from the required 30 feet to 19 feet, 2) reduce the south side yard setback from the required 7 feet to 3 feet, 3) reduce the rear yard setback from the required 7 feet to 3 feet, and 4) increase the allowed lot coverage from the maximum allowed of 50% to 57%, for construction of a new single-family house. Property is located at **181 SAMPSON STREET, N.E.**, fronts 50 feet on the east side of Sampson Street, and begins 92 feet south of the southeast corner of Houston Street and Sampson Street. Zoned R-5 (Two-Family Residential) District. Land Lot 19 of the 14th District, Fulton County, Georgia.
Owner: Stephen Valrie
Council District 2, NPU-M
- V-06-108** Application of **Cherie Critz** for a variance from the zoning regulations to reduce the east side yard setback from the required 10 feet to 7 feet, for a second story addition to a single-family house. Property is located at **840 Moores Mill Road, N.W.**, fronts 100 feet on the south side of Moores Mill Road, and begins 242.5 feet east of the northeast corner of Moores Mill Road and Northside Parkway. Zoned R-3 (Single-Family Residential) District. Land Lot 157 of the 17th District, Fulton County, Georgia.
Owner: Ed Farley
Council District 8, NPU-C

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- V-06-109** Application of **Chris & Rebecca Gray** for a variance from the zoning regulations to allow an accessory structure from the maximum allowed square footage of 30% of that of the primary structure (i.e., the house) to 53% of that of the primary structure. Property is located at **85 Gammon Street, S.E.**, fronts 50 feet on the south side of Gammon Street, and begins 112 feet west of the southwest corner of Gammon Street and Jonesboro Road. Zoned R-4 (Single-Family Residential) District. Land Lot 56 of the 14th District, Fulton County, Georgia.
Owners: Chris & Rebecca Gray
Council District 1, NPU-Y
- V-06-110** Application of **David Lee** for variances from the zoning regulations to 1) increase the rear yard coverage from the maximum allowed of 25% to 32% and 2) allow an accessory structure to exceed 30% of the total floor area of the principal structure (i.e., the house), for construction of a detached garage. Property is located at **70 LITTLE STREET, S.E.**, fronts 50 feet on the north side of Little Street, and begins 200 feet from the northeast corner of Little Street and Fraser Street. Zoned R-4B (Single-Family Residential) District. Land Lot 54 of the 14th District, Fulton County, Georgia.
Owner: David Lee
Council District 1, NPU-V
- V-06-112** Application of **Scott Newton** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 3 feet, for a room addition to an existing single-family house. Property is located at **927 COURTENAY DRIVE, N.E.**, fronts 54.73 feet on the south side of Courtenay Drive, and begins 276.3 feet west of the southwest corner of Courtenay Drive and Highland Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 2 of the 17th District, Fulton County, Georgia.
Owner: Mark Gallagher
Council District 6, NPU-F
- V-06-113** Application of **Wendy Thrower** for a variance from the zoning regulations to reduce the west side yard setback from the required 15 feet to 7 feet, for construction of an attached garage. Property is located at **510 KING ROAD, N.W.**, fronts 150 feet on the south side of King Road, and begins 300 feet east of the southeast corner of King Road and Northside Drive. Zoned R-2 (Single-Family Residential) District. Land Lot 139 of the 17th District, Fulton County, Georgia.
Owner: Wendy Thrower
Council District 8, NPU-A

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- V-06-114** Application of **Matthew Grose** for a special exception from the zoning regulations to reduce the on-site parking from the required 71 spaces to 59 spaces, for conversion of existing buildings into restaurants. Property is located at **2324 MARIETTA ROAD, N.W.**, fronts 248 feet on the west side of Marietta Road, and begins at the southwest corner of Marietta Road and Bolton Road. Zoned C-1 (Community Business) District. Land Lot 244 of the 17th District, Fulton County, Georgia.
Owner: Brock Built
Council District 9, NPU-D
- V-06-115** Application of **Jan & Kay Goldstein and Edgewood at The BeltLine, LLC** for a special exception from the zoning regulations to reduce on-site parking from the required 71 spaces to 59 spaces, for conversion of an existing building to mixed, office, storage/warehouse, retail, and personal service uses. Property is located at **611, 617, & 619 EDGEWOOD AVENUE, S.E.**, fronts 175 feet on the south side of Edgewood Avenue, and begins at the southeast corner of Edgewood Avenue and Cornelia Street. Zoned C-2 (Commercial Service) District. Land Lot 20 of the 14th District, Fulton County, Georgia.
Owners: Jan and Kay Goldstein
Council District 2, NPU-M
- V-06-116** Application of **JLW Development, LLC** for variances from the zoning regulations to 1) reduce the front yard setback from the required 20 feet to 8 feet and 2) reduce the rear yard setback from the required 5 feet to 3 feet, for construction of a single-family house. Property is located at **399 MARY STREET, S.W.**, fronts 36.5 feet on the north side of Mary Street, and begins 60.5 feet from the northwest corner of Mary Street and Smith Street. Zoned R-4B (Single-Family Residential) District. Land Lot 87 of the 14th District, Fulton County, Georgia.
Owner: JLW Development, LLC
Council District 4, NPU-V
- V-06-117** Application of **JLW Development, LLC** for variances from the zoning regulations to 1) reduce the front yard setback from the required 10 feet to 0 feet, 2) reduce the transitional side yard setback from the required 20 feet to 3 feet, and 3) reduce the rear transitional yard from the required 20 feet to 3 feet, for construction of a single-family house. Property is located at **401 MARY STREET, S.W.**, fronts 35 feet on the north side of Mary Street, and begins 68 feet from the northeast corner of Mary Street and Sims Street. Zoned C-1-C (Community Business) District. Land Lot 87 of the 14th District, Fulton County, Georgia.
Owner: JLW Development, LLC
Council District 4, NPU-V

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- V-06-118** Application of **JLW Development, LLC** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 4.11 feet, 2) reduce the south side yard setback from the required 7 feet to 4.10 feet, for construction of a single-family house. Property is located at **500 Culberson Street, S.W.**, fronts 40 feet on the east side of Culberson Street, and begins 176 feet north of the northeast corner of Culberson Street and Oak Street. Zoned R-5 (Two-Family Residential) District. Land Lot 117 of the 14th District, Fulton County, Georgia.
Owner: JLW Development, LLC
Council District 4, NPU-T

DEFERRED CASES

- V-06-24** Application of **Joy Russo** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 4.5 feet, for a second-story addition to a single-family house. Property located at **1140 ST. AUGUSTINE PLACE N.E.**, fronts 53 feet on the north side of St. Augustine Place and begins 656 feet west of the northwest corner of North Highland Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 16 of the 14th District, Fulton County, Georgia.
Owner: Joy Rousso
Council District 6, NPU-F
- V-06-29** Application of **Dan Saknini** for a variance from the zoning regulations to reduce the front yard setback from the required 50 feet to 30 feet, for construction of a two-story, single-family house. Property located at **2876 SANDPIPER CIRCLE S.W.**, fronts 100 feet on the south side of Sandpiper Circle and begins 271 feet east of the southeastern corner of Sandpiper Drive and North Shore Drive. Zoned R-3 (Single-Family Residential) District. Land Lot 215 of the 14th District, Fulton County, Georgia.
Owner: Dan Saknini
Council District 11, NPU-I
- V-06-37** Application of **Majid Sotoodeh** for a 1) special exception from the zoning regulations for construction of a 5-foot high wrought iron fence with 6-foot high columns iron gates in the front yard setback, where up to a 4-foot high fence would otherwise be allowed, and for 2) a variance from the zoning regulations to reduce the north side yard setback from the required 7 feet to 3 feet, for installation of HVAC units on the side of the house . Property is located at **21 PEACHTREE CIRCLE N.E.**, fronts 75 feet on the east side of Peachtree Circle and begins 197 feet south of the southeastern corner of Lafayette Drive and Peachtree Circle. Zoned R-4 (Single-Family Residential) District. Land Lot 105 of the 17th District, Fulton County Georgia.
Owner: Alan Ensari
Council District 6, NPU-E

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- V-06-48** Application of **Sarran Marshall** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 5.5. feet, and 2) reduce the south side yard setback from the required 7 feet to 5.5 feet, for construction of a single-family house. Property is located at **984 HERNDON STREET N.W.**, fronts 41 feet on the west side of Herndon Street and begins 205 feet north of the northwestern corner of Baylor Street and Herndon Street. Zoned R-4A (Single-Family Residential) District. Land Lot 189 of the 17th District, Fulton County, Georgia.
Owner: Steve Collins
Council District 3, NPU-K
- V-05-377** Application of **Michael Brown** for a variance from the zoning regulations to reduce the front yard setback from the required 20 feet to 12 feet, for construction of a single-family house. Property is located at **373 DELEVAN STREET S.W.**, fronts 50 feet on the north side of Delevan Street and begins 50 feet west of the northwestern corner of Delevan Street and Ira Street. Zoned R-4B (Single-Family Residential) District. Land Lot 87 of the 14th District, Fulton County, Georgia.
Owner: Michael Brown
Council District 4, NPU-V
- V-05-379** Application of **Karina Roca** for variances from the zoning regulations to 1) reduce the front yard setback from the required 30 feet to 25.5 feet 2) increase lot coverage from the maximum allowed of 50% to 60%, and 3) eliminate one required on-site parking space, for first and second story additions to a single-family house. Property is located at **1101 MECASLIN STREET N.E.**, fronts 49 feet on the east side of Macaslin Street and begins 55 feet north of the eastern corner of Mecaslin Street and Richards Street. Zoned R-5/ SPI-8 (Two-Family Residential/ Special Public Interest- Home Park) District. Land Lot 149 of the 17th District, Fulton County, Georgia.
Owner: Zuhair Itr
Council District 3, NPU-E
- V-06-50** Application of **Caleb Racicot** for variances from the zoning regulations to 1) reduce the transitional rear yard from the required 20 feet to 10 feet, 2) reduce the transitional side yard from the required 20 feet to 10 feet, and 3) decrease useable open space from the required 40% to 37%, and for special exception from the zoning regulations to 4) eliminate the required alternative fuel vehicle charging station, whereas one for every 100 parking spaces would otherwise be required, 5) reduce on-site loading spaces from the required 1 space to zero spaces, and 6) reduce on-site parking from the required 43 spaces to 42 spaces. The property is located at **18-54 MONTGOMERY STREET, S.E. and 19-53 HUTCHINSON STREET, S.E.** fronts 350 feet on the west side of Montgomery Street and 350 feet on the east side of Hutchinson Street, and begins 150 feet north of the northeastern corner of Hutchinson Street and Hosea Williams Drive. Zoned R-4A (Single-Family Residential) District (pending rezoning to MR-3 (Multi-Family Residential-Sector 3) District). Land Lot 209 of the 15th District, DeKalb County, Georgia.
Owner: Marie Brumley Foster
Council District 5, NPU-O

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- V-06-51** Application of **Caleb Racicot** for variances from the zoning regulations to 1) reduce the front yard setback from the required 40 feet to 10 feet, 2) reduce the rear yard setback from the required 15 feet to 10 feet, 3) reduce the side yard setback from the required 15 feet to 10 feet, 4) decrease useable open space from the required minimum of 40% to 34%, and 5) decrease the total open space from the required minimum of 69% to 45%, and for 6) a special exception from the zoning regulations to reduce required on-site loading spaces from 1 space to zero spaces. The property is located at **1404-1410 HARDEE STREET, S.E. and 90-178 HUTCHINSON STREET S.E.**, fronts 160 feet on the north side of Hardee Street and 1100 feet on the west side of Hutchinson Street, and begins at the northwest corner of Hardee Street and Hutchinson Street. Zoned R-5 (Two-Family Residential) District (pending rezoning to RG-3 (Residential General-Sector 3) District). Land Lot 209 of the 15th District, DeKalb County, Georgia.
Owner: Marie Brumley Foster
Council District 5, NPU-O
- V-06-51A** Application of **Caleb Racicot** for a variance from the zoning regulations to 1) reduce the transitional rear yard from the required 20 feet to 10 feet, 2) reduce the transitional side yard from the required 20 feet to 10 feet, 3) decrease useable open space from the required 40% to 32%, and for special exceptions from the zoning regulations to 4) eliminate the required alternative fuel vehicle charging station, whereas one for every 100 parking spaces would otherwise be required, and 5) reduce the on-site loading spaces from the required 1 space to zero spaces. The property is located at **90-108 MAYSON AVENUE, S.E.**, fronts 224 feet on the west side of Mayson Avenue and begins at the southwestern corner of Mayson Street and Watson Street. Zoned R-5 (Two-Family Residential) District (pending rezoning to MR-3 (Multi-Family Residential-Sector 3) District). Land Lot 210 of the 15th District, Dekalb County, Georgia.
Owner: Marie Brumley Foster
Council District 5, NPU-O
- V-06-52** Application of **Caleb Racicot** for a variance from the zoning regulations to 1) reduce the transitional rear yard from the required 20 feet to 10 feet, 2) reduce the transitional side yard from the required 20 feet to 10 feet, 3) decrease useable open space from the required 40% to 38% (Tract 1) and decrease useable open space from the required 40% to 33% (Tract 2), and for special exceptions from the zoning regulations to 4) eliminate the required alternative fuel vehicle charging station, whereas one for every 100 parking spaces would otherwise be required, 5) reduce the on-site loading spaces from the required 1 space to zero spaces, and 6) reduce on-site parking from the required 16 spaces to 12 spaces. The property is located in two tracts; Tract 1 is located at **140-148 MAYSON AVENUE, S.E. and 1476-1484 CHIPLEY STREET, S.E.**, fronts 120 feet on the east side of Mayson Avenue and begins at the northeast corner of Mayson Avenue and Chipley Street; Tract 2 is located at **126-134 MAYSON AVENUE, S.E. and 1469-1483 CHIPLEY STREET, S.E.**, fronts 120 feet on the east side of Mayson Avenue, and begins at the southwestern corner of Mayson Avenue and Chipley Street. Zoned R-5 (Two-Family Residential) District (pending rezoning to MR-3 (Multi-Family Residential-Sector 3) District). Land Lot 210 of the 15th District, Dekalb County, Georgia.
Owner: Marie Brumley Foster
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- V-06-52A** Application of **Caleb Racicot** for a variance from the zoning regulations to 1) reduce the transitional rear yard from the required 20 feet to 10 feet, 2) reduce the transitional side yard from the required 20 feet to 10 feet, 3) decrease useable open space from the required 40% to 38%, and for special exceptions from the zoning regulations to 4) eliminate the required alternative fuel vehicle charging station, whereas one for every 100 parking spaces would otherwise be required, and 5) reduce the on-site loading spaces from the required 1 space to zero spaces. The property is located at **153-187 LOWRY STREET, S.E.**, fronts 363.9 feet on the east side of Lowry Street and begins 650 feet south of the southeastern corner of Lowry Street and La France Street. Zoned R-5 (Two-Family Residential) District (pending rezoning to MR-3 (Multi-Family Residential) District. Land Lot 209 of the 15th District, DeKalb County, Georgia.
Owner: Marie Brumley Foster
Council District 5, NPU-O